SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON 400 SOUTH FOURTH STREET, THIRD FLOOR, LAS VEGAS, NEVADA 89101

(702) 791-0308 - FAX (702) 791-1912

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1	JAMES E. WHITMIRE, III, ESQ.
	Nevada Bar No. 6533

Nevada Bar No. 6533

2 BRIAN W. BOSCHEE, ESQ.

Nevada Bar No. 7612

SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON

400 South Fourth Street, Third Floor

Las Vegas, Nevada 89101

Telephone: 702/791-0308

Attorney(s) for Defendant Wal-Mart Stores, Inc.

### UNITED STATES DISTRICT COURT

### DISTRICT OF NEVADA

MARGARET PICUS, an individual; on behalf of herself, and on behalf of all others similarly situated.

Plaintiffs,

v.

WAL-MART STORES, INC.; MENU FOODS INC.; DEL MONTE FOODS COMPANY; SUNSHINE MILLS, INC.; CHEMNUTRA, INC.; and DOES 1 through 100, inclusive,

Defendants.

CASE NO.: CV-S-00682-PMP-LRL

# STIPULATION AND ORDER TO CONSOLIDATE CASES

Defendant WAL-MART STORES, INC. ("WAL-MART"), by and through its counsel, James E. Whitmire, III, Esq., and Brian W. Boschee, Esq., of the law firm of Santoro, Driggs, Walch, Kearney, Johnson & Thompson, Defendant DEL MONTE FOODS COMPANY ("DEL MONTE") by and through its counsel, Dawn Grossman, Esq., of the law firm of Cozen O'Conner, Defendant CHEMNUTRA, INC., ("CHEMNUTRA") by and through its counsel Nicholas M. Wieczorek, Esq., of the law firm of Morris, Polich & Purdy, LLP, and Plaintiff MARGARET PICUS ("PLAINTIFF") by and through her counsel, Robert B. Gerard, Esq., and Lawrence T. Osuch, Esq., of the law firm of Gerard & Osuch, LLP, hereby enter into this Stipulation and Order for the Consolidation of Cases. Wal-Mart, Del Monte, Chemnutra and Plaintiff are collectively referred to as the "Parties" in this Stipulation and Order. The Parties have agreed and stipulated to the entry of this Order for consolidation of cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ with case 2:07-CV-00682-PMP-LRL. Each case was

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removed within one (1) day of each other without knowledge of each others removal. All Parties 1 have the desire to have these cases consolidated. 2 IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, 3 through their respective counsel of record, that: 4 Cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ shall be 5 1. consolidated with 2:07-CV-00682-PMP-LRL; 6 Case 2:07-CV-00682-PMP-LRI, shall be the main case. 7 2. DATED this \_\_\_\_\_ day of June, 2007 DATED this \_\_\_\_\_ day of June, 2007 8 COZEN O'CONNER SANTORO, DRIGGS, WALCH, 9 KEARNEY, JOHNSON & THOMPSON 10 DAWN GROSSMAN, ESQ. JAMES E. WHITMIRE, III, ESQ. 11 Nevada Bar No. 6828 Nevada Bar No. 6533 601 South Rancho Drive, Suite C-20 BRIAN W. BOSCHEE, ESQ. 12 Nevada Bar No. 7612 Las Vegas, NV 89106 400 South Fourth Street, Third Floor 13 Attorney for Defendant Del Monte Foods Co. Las Vegas, Nevada 89101 14 Attorneys for Defendant Wal-Mart Stores, Inc. 15 DATED this ZO \_\_\_ day of June, 2007 DATED this \_\_\_\_\_ day of June, 2007 16 GERARD & OSUCH, LLP MORRIS POLICH & PURDY, LLP 17 18 NICHOLAS M. WIECZOREK, ESQ. ROBERT B. GERARD, ESQ. 19 Nevada Bar No. 5323 Nevada Bar No. 6170 LAWRENCE T. OSUCH, ESQ. 3980 Howard Hughes Pkwy, Suite 400 20 Las Vegas, NV 89169 Nevada Bar No. 6771 2840 South Jones Boulevard 21 Building D, Suite 4 Attorney for Defendant Chemnutra, Inc. Las Vegas, NV 89146 22 Attorneys for Plaintiff Margaret Picus 23 IT IS SO ORDERED. 24 DATED this \_\_\_\_ day of \_\_\_\_\_, 2007. 25 26 27 Philip M. Pro U.S. District Judge 28

(FAX)619 232 4129

SAMTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON 400 SOUTH FOURTH STREET, THIRD FLOOR, EAS VICALS, NEXADA BOLDI

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IT IS HEREBY STIPULATED AND AGREED, by and between the parties here	eto,
have the desire to have these cases consolidated.	
removed within one (1) day of each other without knowledge of each others removal. All Part	ties

through their respective counsel of record, that:

1. Cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ shall be

 Cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ shall be consolidated with 2:07-CV-00682-PMP-LRL;

2. Case 2:07-CV-00682-PMP-LRL shall be the main case.

2.	Jasc 2.07-C V-00002-1 WII -LICE	shan be the main case.	
DATED this	day of June, 2007	DATED this 13 da	ay of June, 2007
	RIGGS, WALCH, OHNSON & THOMPSON	COZEN O'CONNER	nan
JAMES E. WHITMIRE, III, ESQ. Nevada Bar No. 6533 BRIAN W. BOSCHEE, ESQ. Nevada Bar No. 7612 400 South Fourth Street, Third Floor Las Vegas, Nevada 89101		DAWN GROSSMAN, ESQ. Nevada Bar No. 6828 601 South Rancho Drive, Suite C-20 Las Vegas, NV 89106  Attorney for Defendant Del Monte Foods Co	
,	efendant Wal-Mart Stores, Inc.	Anorney for Defendant Det :	wionie i oous Co
DATED this	day of June, 2007	DATED this da	ay of June, 2007

# MORRIS POLICH & PURDY, LLP

# **GERARD & OSUCH, LLP**

ROBERT B. GERARD, ESQ.

NICHOLAS M. WIECZOREK, ESQ. Nevada Bar No. 6170 3980 Howard Hughes Pkwy, Suite 400
Las Vegas, NV 89169

Nevada Bar No. 5323 LAWRENCE T. OSUCH, ESQ. Nevada Bar No. 6771 2840 South Jones Boulevard Building D, Suite 4 Las Vegas, NV 89146

 $Attorney \ for \ Defendant \ Chemnutra, \ Inc.$ 

Attorneys for Plaintiff Margaret Picus

## IT IS SO ORDERED.

DATED this \_21st day of \_June \_\_\_\_, 2007.

Philip M. Pro U.S. District Judge SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON
400 SOUTH FOURTH STREET, THIRD FLOOR, LAS VEGAS, NEVADA 89101
(702) 791-0308 - FAX (702) 791-1912

1	Submitted by: SANTORO, DRIGGS, WALCH,
2	KEARNEY, JOHNSON & THOMPSON
3	mulle
	JAMES E. WHITMIRE, III, ESQ.
4	Nevada Bar No. 6533
1	BRIAN W. BOSCHEE, ESQ.
5	Nevada Bar No. 7612
	400 South Fourth Street, Third Floor
6	Las Vegas, Nevada 89101
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7	Attorneys for Defendant Wal-Mart Stores, Inc